

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>9/6/2023</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. -

:

ORDER

SHAWN RAINS, :

22 Cr. 18 (NSR)

Defendant. :

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Upon the annexed application of Damian Williams, United States Attorney for the Southern District of New York, for an order pursuant to Title 18, United States Code, Sections 6002 and 6003, compelling Benjamin Urena (“Urena”) to testify and to provide other information in United States v. Shawn Rains, in the United States District Court for the Southern District of New York, and upon the declaration of Assistant United States Attorney Jamie Bagliebter submitted in support thereof; and it appearing that,

1. Urena is scheduled to appear as a witness in United States v. Shawn Rains; and,

2. It is expected that Urena may refuse to testify on the basis of his privilege against self-incrimination; and,

3. It is the judgment of the United States Attorney that the testimony and other information that Urena could give in United States v. Shawn Rains, may be necessary to the public interest; and,

4. Upon the approval of the aforesaid application by the Department of Justice, by the Assistant Attorney General, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and 28 C.F.R. 0.175; it is hereby:

ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, Urena give testimony and provide other information as to all matters about which he may be questioned in United States v. Shawn Rains; and

IT IS FURTHER ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against Urena in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this Order.

This Order shall become effective only if, after the date of this Order, Urena refuses to testify or provide other information on the basis of his privilege against self-incrimination.

SO ORDERED:

A handwritten signature in dark ink, appearing to read 'N. Roman', is written over a horizontal line.

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dated: White Plains, New York
September 6, 2023